

RCE

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# Request for Continued Examination (RCE) Transmittal

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Application Number	09/851,664
Filing Date	May 9, 2001
First Named Inventor	Robert De Lays
Art Unit	1645
Examiner Name	ZEMAN, ROBERT A
Attorney Docket Number	11362.0025.DVUS03

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 01-2508/11362.0025 DVUS03 I have enclosed a duplicate copy of this sheet.
- a. ☒ RCE fee required under 37 CFR 1.17(e) (i.e. \$790.00)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Matthew Madsen</i>	Date	April 29, 2005
Name (Print/Type)	Matthew L. Madsen	Registration No.	45,594

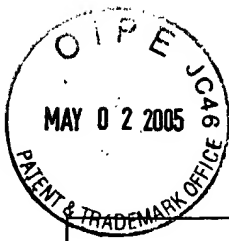
### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<i>Paula S. Linkhart</i>	Date	April 29, 2005
Name (Print/Type)	PAULA S. LINKHART		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



CERTIFICATE OF MAILING  
37 C.F.R. 1.8

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*April 29, 2005*  
Date

*Paula S. Linkhart*  
Signature

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Robert DE LAYS  
Bart VANDERBORGHT  
Eric SAMAN  
Hugo VAN HEUVERSWYN

Confirmation No.: 4387

Group Art Unit: 1645

Examiner: ZEMAN, R.A.

Serial No.: 09/851,664

Atty. Dkt. No.: 11362.0025.DVUS03

Filed: May 9, 2001

For: PROCESS FOR DETECTING HIV-3  
RETROVIRUS

**SUBMISSION UNDER 37 C.F.R. § 1.114 IN  
RESPONSE TO FINAL OFFICE ACTION DATED OCTOBER 29, 2004**

**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is submitted as part of a Request for Continued Examination (RCE) with the appropriate fee. It is believed to be fully responsive to the Final Office Action dated October 29, 2004, for which the three-month date for response was January 29, 2004. Also provided herewith is a Request for Continued Examination.

A request for a three-month extension of time to respond is also enclosed herewith. This three-month extension will bring the due date to April 29, 2005, which is within the six-month statutory period. The Commissioner is authorized to charge the fee of **\$1,020.00** to Deposit Account No. 01-2508/11362.0025.DVUS03 for this three-month extension. Should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/**11362.0025.DVUS03**.

Reconsideration of the application in view of the following amendments and remarks is respectfully requested.